

PLANNING BOARD MINUTES

November 16, 2015

Call The Meeting to Order

Chairman Stephen Johnson called the meeting to order at 7:00 P.M. in the Town Hall Auditorium. Present at the meeting were, Robert Fowler, Nancy Reed, Vincent Fratalia, Keith Anderson, Director of Community Development Steve Sadwick and Recording Secretary Dawn Cathcart.

(A) Approval of Minutes – October 19, 2015

MOTION - Mr. Anderson made a motion to approve the Planning Board minutes of October 19, 2015 as submitted. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

(B) Committee Reports/Administrative Actions

(B1) Committee Reports

Mr. Johnson stated that the Town Center Master Plan committee met on Thursday for a public meeting. Detailed plans were presented but nothing final has been determined. They are waiting on the final report from the consultant. Mr. Fratalia asked if there was any feedback from the public. Mr. Johnson stated that traffic is still the biggest concern. Mr. Fratalia asked if parking was an issue. Mr. Johnson replied that seems to be addressed.

Old Business

Mr. Sadwick stated that he would like to schedule a Planning Board working session to discuss two outstanding items including Riverview Park and Design Guidelines. There are two dates open, December 1st and 2nd. Mr. Johnson asked that every one check their schedules and get back to Mr. Sadwick.

Mr. Fratalia asked what the status of the RFP for Wamesit park. Mr. Sadwick stated that the contractor is holding his price until spring. Mass DOT has done the sidewalks and curbing and the planting and irrigation will be done in the spring. Mr. Fratalia asked why asphalt was used on the sidewalks instead of concrete. Mr. Sadwick replied he was not sure.

New Business

Mr. Anderson stated that the bond rating for the Town was a positive action and hopefully it will continue.

Mrs. Reed asked what the status of Martel Welding on Woburn Street. They are still parking forklifts in the front and they wanted the bond released. Mr. Sadwick stated that they will be coming before the Board on December 7th for another permit. Mr. Johnson stated that they should be given a heads up that this Board is looking for an answer to the problem.

Mr. Johnson stated that he found a copy of Riggins Rules that were provided to the Board. He found them interesting.

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(C) **1201 Main Street, James Wu, New Horizons Realty Group Special Permit, Site Plan Special Permit, Groundwater Protection Special Permit, Town Center Overlay District**

MOTION - Mr. Fowler made a motion to waive the reading of the public hearing notice. The motion was seconded by Mrs. Reed and unanimously voted 5-0.

James Wu and Eric Drake from TEC appeared for the Special Permits at 1201 Main Street. Mr. Drake stated that the property has 3.59 acres in the Commercial zone with residential zoning in the rear. They are proposing a second 8,000 SF office building with expanded parking. In 2008, the Planning Board and Conservation approved a 8,000 SF building with 56 parking spaces and Storm Water Management mitigation. This proposal will be for a second building on the same lot. The water and sewer will tie into the existing services on site and the only new connection on Main Street will be for the gas.

Mr. Drake stated that this will be a Low Impact Development project. There will be two bio-detention basins for water treatment and an infiltration basin in the back will only be 9" deep. They are also providing flood plan mitigation. The traffic impact will be minimal with only 18 additional trips during peak am traffic and 34 trips during peak pm traffic. They will also be replacing the sign out front that will provide signage for the new building. The new building will have the same architecture as the existing one. They will provide mitigation for storm water quality and control land flood plane. They are applying for a Site Plan Special Permit, Ground Water Protection Special Permit, Town Center Overlay District Permit and Special Permit. They are currently in front of Conservation and they received an ORAD in September. Mr. Drake stated that the IDR comments from the Town Engineer and Fire Department may take some parking spaces away but they will still have enough parking for the proposed uses.

Mr. Fowler asked if this was continued until the next meeting would that give them sufficient time to address the issues. Mr. Drake replied yes. Mr. Fowler stated that he would not be at the meeting on December 7th. Mr. Fowler added that he likes the existing building.

Mr. Anderson stated that he is pleased with the original project. Mr. Anderson asked if there are tenants proposed. Mr. Wu replied yes, he has been approached by a few of his medical colleagues. Mr. Anderson stated that he doesn't want empty space.

Mrs. Reed stated that the original building was done well and asked if additional landscaping is proposed. Mr. Drake stated that a landscape plan should have been submitted and if not then they will revise it and resubmit it after the comments from engineering have been addressed.

Mr. Fratalia asked if there will be a food establishment proposed. Mr. Drake replied no.

Mr. Johnson asked for a rendering to be submitted from the street and he would want to see the proposed signage.

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Richard Roper of 15 Crescent Street – Mr. Roper stated that there is no landscape buffer shown in the back and the parking lot lights are on all the time. He requested a burm with Evergreen trees be added. Mr. Drake stated that they would look at adding a buffer. They are only proposing two additional light poles with the expanded parking. Mr. Roper stated that the lights are on now with the existing building.

Mr. Fowler stated that the landscape buffer is a great idea and would like that option explored.

MOTION - Mr. Anderson made a motion to continue the Special Permits for 1201 Main Street until December 7, 2015 at 7:25 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

(D) 2550 Main Street, Verizon Wireless Communications for Ronald White and Thomas Ratacik – Special Permit

Attorney Chris Swiniarski appeared for the continued Special Permit for Verizon Wireless at 2650 Main Street. Attorney Swiniarski stated that a crane test was done last Saturday instead of the balloon test and there will be two additional renderings done. Mr. Johnson stated that is what he expected. Mrs. Reed agreed. Mr. Fratalia asked if a rendering was being done from Glenwood Road. Attorney Swiniarski replied that the renderings are being done now.

Mr. Anderson stated that he visited the site during the test and spoke with Attorney Swiniarski as well as speaking to Mr. Sadwick. He took pictures from State Street in Wilmington and Forrest Terrace and he didn't see anything that was a deterrent. He just has angst with multiple towers so close to each other but he understands the development must continue.

Mr. Sadwick noted for the record that where the crane was set up is not the actual location of the tower on site. Attorney Swiniarski replied that was incorrect, that is the exact location. This will be a 100' monopole site and there can be a flag added. The compound will be relatively hidden from Main Street.

Mr. Fratalia asked if they are considering the South Street Fire Station pole. Attorney Swiniarski replied no, there is not much that can be done with the RFP being issued and it would take a year to get the data up to date. Mr. Johnson asked if work was already done for the Fire Station. Attorney Swiniarski replied yes, but it was done along time ago and would have to be changed. Mr. Fratalia stated that the residents are not happy with another pole going in so close to the existing one.

Mrs. Reed stated the we need to have a preliminary discussion on the process. There is a special permit waiver of applicability if not going into a specified area and they would need to apply for a waiver. Mrs. Reed stated that we also encourage applicants to come in prior to the engineering being done. We are the direct link to the people, since we are an elected board. Attorney Swiniarski stated that federal law requires a decision within 150 days and this Board can't grant access to the pole. Mrs. Reed stated that we can facilitate discussions with the proper people. Mrs. Reed stated that the waiver of applicability is not part of the application.

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Mr. Fowler stated that we received the review letter from Isotope today and on page 10, it lists priorities. Attorney Swiniarski stated that the statement is incorrect regarding coverage in Tewksbury. Mr. Fowler asked why they could not install antennas on poles. Attorney Swiniarski stated that the poles are only 35' in height and it's a high density area. Mr. Fowler asked why the VFW was unfavorable. Attorney Swiniarski replied that it is in a heavy industrial area. Mr. Fowler asked why the Salem Road property was not looked at.

Brendan Gill representing Verizon – Mr. Gill stated that the we could not find a phone number or point of contact for the Salem Road property. Mr. Fowler asked how was contact tried. Mr. Gill stated that they knocked on doors and sent letters.

Mr. Anderson stated that they just received some information today and he needs more time to review it. Mr. Anderson asked how long the RFP process is. Mr. Sadwick replied about 3-4 weeks for the posting and then about 2-3 weeks for negotiation. Mr. Sadwick added that he was told by Town Counsel the RFP would be out this week. Mr. Anderson asked what the timeline is for construction. Attorney Swiniarski replied that construction takes about 45-90 days. Mr. Anderson stated that the RFP seems on a fast track and the town doesn't want another tower. Mr. Sadwick stated for clarification, the Town encourages co-location of carriers. Mr. Anderson replied that is correct.

Mr. Johnson stated that for the record, the application did request the waiver on Tab #7. Mr. Johnson would like a response to the Isotope memo. Mr. Sadwick stated that David Maxson was going to be here but at the last minute he had to go out of town. Mr. Johnson stated that this Board is not in a position to negotiate the RFP and to determine if there is a better alternative for this application. His decision will not be based on if this site should be someplace else. Attorney Swiniarski stated that in their opinion this is the best location but if there is a better design he will listen. They can be flexible as long as coverage is justified.

Mr. Johnson stated that the Town Counsel had a question and asked if the application is interested in delaying the application for 60 days to allow them to look at the RFP. Mr. Johnson stated that for the record, if this hearing is continued, Mr. Fowler will not be available on December 7, 2015 so an approval would need all four members or they could continue until December 21, 2015 for the full board.

Jack Berube of 2543 Main Street – Mr. Berube stated that this tower would be 225' from his front door. He understands the technical and legal issues but he knows of a property owner of 157 Salem Road with 17+ acres in this area and he was never asked to use his property. The owner of this property is the only person that will benefit this tower, no one else. Again, he understands the legal issue but there are better properties where the pole would not be seen. Mr. Johnson stated that the Planning Board cannot negotiate location. Attorney Swiniarski replied that they would look into this location.

MOTION - Mr. Anderson made a motion to continue the Special Permit for 2550 Main Street until December 7, 2015 at 7:05 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

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(E) Tewksbury Habitat – Building Affordable Housing Discussion/Presentation

Jim Kenny and Lou DeBerio appeared for discussions of Tewksbury Habitat. Mr. Fratalia joined the panel as a member of the Board for Tewksbury Habitat. Mr. Kenny stated that the response to the Tewksbury Habitat house has been overwhelming.

Mr. Anderson stated that he was involved with this project and they did a great job.

Mr. Fowler stated that this was a great project from start to finish.

Mrs. Reed stated that this is a great initiative and glad that Tewksbury Habitat is an established non-profit and encouraged them to come in and talk with the Local Housing Partnership.

Mr. Fratalia stated that the first build had some challenges and it took almost a year but it was great to get local people involved and want to get even more for the next project.

Mr. Kenny stated that they are working on some fundraising events such as the Harlem Wizards. Mr. Kenny stated that so many local contractors donated supplies and time and he looks forward to more potential sites.

Mr. Johnson applauded the group's efforts.

Director's Report

Mr. Fowler asked what the status of the DiSteffano's project is. Mr. Sadwick stated that if there is non-compliance with the court agreement, it means they would be in contempt of court. Mr. Sadwick stated that the sidewalks may be added in the spring.

Adjournment

MOTION - Mr. Fowler made a motion to adjourn the meeting at 8:45 PM. The motion was seconded by Mr. Fratalia and unanimously voted 5-0.

Approved on: 1/25/16

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List of documents for 11/16/15 Agenda

Documents can be located at the Community Development Office

- A. 7:00** Approval of Minutes – October 19, 2015
- B. 7:00** Committee Reports/Administrative Actions Committee Reports
- C. 7:10** 1201 Main Street, James Wu, New Horizons Realty Group
Special Permit, Site Plan Special Permit, Groundwater Protection
Special Permit, Town Center Overlay District
Application packet dated 10/7/15.
IDR held 11/3/15
Memo 10/20/15 fr Fire Department.
Memo 11/5/15 fr Health Director.
- D. 7:20** 2550 Main Street, Verizon Wireless Communication for
Ronald White and Thomas Ratacik
Continued Special Permit
Crane test scheduled for 11/14/15
Alternative sites provided by McLane Middleton dated 11/9/15
Verbal confirmation that RFP for 2342 Main Street site will be ready week of 11/16/15
Town Counsel will provide legal review of Telecommunication Act and subsequent changes if
necessary after receipt of Isotrope, LLC report is delivered. (David Maxson's report)
Istrope, LLC report anticipated prior to 11/16/15
- E.** Tewksbury Habitat - Building Affordable Housing
Discussion/Presentation